

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 05-1845**

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ESTATE OF WANDA F. SMITH,

Plaintiff - Appellant,

versus

GENERAL MOTORS CORPORATION,

Defendant - Appellee.

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Appeal from the United States District Court for the Western District of Virginia, at Big Stone Gap. Glen M. Williams, Senior District Judge. (CA-03-147-2)

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Submitted: April 12, 2006

Decided: May 9, 2006

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Before TRAXLER and SHEDD, Circuit Judges, and HAMILTON, Senior Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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Charles H. Smith, III, Monica Taylor Monday, GENTRY, LOCKE, RAKES & MOORE, Roanoke, Virginia; Clarence Edward Phillips, CLARENCE E. PHILLIPS, P.C., Castlewood, Virginia, for Appellant. Brian K. Telfair, Jack R. Reiter, Stephanie G. Kolman, ADORNO & YOSS, L.L.P., Coral Gables, Florida, for Appellee.

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Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

The Estate of Wanda F. Smith appeals the district court's order accepting the report and recommendation of a magistrate judge and granting General Motors Corp.'s motion for summary judgment in Smith's civil action in which she alleged she suffered injuries due to the defective design of the seat belt of the car in which she was a passenger. We have reviewed the record and find no reversible error. Accordingly, we affirm summary judgment in favor of GM for the reasons stated by the district court. See Estate of Wanda F. Smith v. General Motors Corp., No. CA-03-147-2 (W.D. Va. June 29, 2005). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED